



Legislation Update

Numerous Bills This Year

The current legislative session has been very busy for the REA program. Bills were introduced that may impact the program and the activities of program registrants. Proposed were changes to registration requirements, the activities REAs could conduct on certain Brownfields properties, and the organization of the REA program.

An important bill affecting the REA program is SB 1011 (Sher) that would transfer the REA registration program from the Office of Environmental Health Hazard Assessment (OEHHHA) to the Department of Toxic Substance Control (DTSC). This bill also clarifies the authority of the REA program to discipline registrants for cause.

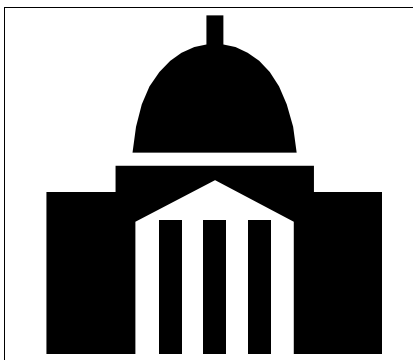
A second bill SB 1958 (Polanco) would (if passed) change the requirements for registration as an REA II. This bill restricts the REA II registration to individuals licensed as a Pro-

fessional Engineer or a Registered Geologist.

Another bill, SB 1963, also from Senator Polanco, would if passed, amend recently enacted statutes governing certain activities at Brownfields sites (the Fall/Winter 2001 newsletter describes this legislation). The bill requires individuals preparing cleanup or remedial action plans for a site, be licensed as engineers or geologists.

Another bill, SB 3053 (Assembly Environmental Safety and Toxic Materials Committee) if passed, would establish a pilot program for the cleanup of multiparcel Brownfields sites. While not directly impacting the REA program, this bill requires a workgroup to prepare guidelines for multiparcel risk assessments.

Also reviewed was AB 2479 (Jackson). The purpose of this bill is to reduce or prevent harm to human health and the environment from a serious accident or terrorist



Busy legislative session underway

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Program Roundup

The REA program has been quite active since the last newsletter was issued. We continue to register individuals as both REA I and REA II. During the past six months we have registered over 110 applicants as REAs and have recently seen an upsurge in interest in registration.

An important milestone was reached when the DTSC released draft regulations for the Private Site Management Program on June 10, 2002. These draft regulations are currently in a public review and comment period.

The Legislature continues to enhance and streamline processes for Brownfields redevelop-

ment and we have evaluated several bills to identify potential impacts and benefits.

Our outreach efforts during the past six months included numerous conferences attended by individuals representing site owners or operators, businesses, attorneys, realtors, environmental agencies and environmental professionals. See our website for upcoming conferences.

Our website continues to serve as an effective platform for the dissemination of information regarding the program and REA activities.

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Special points of interest:

- *Draft Private Site Management regulations released for public comment*
- *REA I annual fee is now due*
- *REA II's must maintain REA I registration*
- *OEHHHA releases EPIC report*

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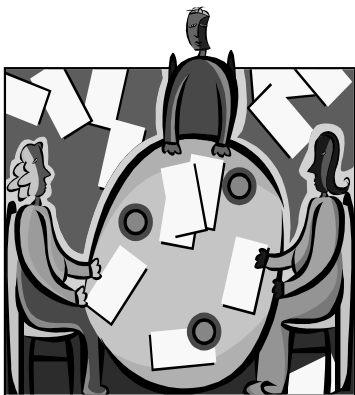
attack on an industrial facility or hazardous materials transporter. The bill contains provisions relating to the preparation and implementation of source reduction plans and audits to reduce the amount of hazardous materials stored at industrial facilities.

The text, amendments, history and current status of each bill can be obtained on the Internet at:

www.leginfo.ca.gov

The REA II Application Process

Recently several REA II applicants have inquired about the information needed on the REA II application and how this information is evaluated. The REA II application, and its review, significantly differs from the REA I application process. Areas of difference include the types and forms of required information, the reference submittal process and the manner in which information is evaluated.



The most important difference between the REA I and REA II application processes is how the application is reviewed. The REA I application is completely reviewed by program staff. The REA II application, initially reviewed in-house, is then forwarded with all supporting documents to a review committee composed of members from the other Cal/EPA Boards and Department. This committee is tasked to evaluate each complete application and determine whether the applicant's experience is sufficient for registration. Concurrence by the ARC is necessary before registration is recommended.

The REA I reference process allows an applicant to deliver reference forms. The REA II process does not. An REA II applicant identifies four references, one of which must be from a lead environmental agency familiar with the applicant's work. The REA program delivers forms to each reference immediately upon receipt of an application. It is incumbent upon the applicant's to contact their references prior to submission of their names on the application, and to follow up with each reference once the application is sent. The program is not responsible for delays caused by the lack of sufficient references.

The REA II applicant must submit substantial information documenting professional-level site mitigation experience. This information includes detailed project descriptions. These descriptions must illustrate a continued professional-level site mitigation experience during four of the past six years. Also required are project documents and correspondence for each project which the applicant authored or directed the document's preparation. This information may be copies of letters, reports or other documents. For reports, a title page, signed transmittal letter, plus the executive summary, or a conclusions and recommendations section should be submitted. Each application must also be accompanied by one complete report produced by or under the direction of the applicant as a technical writing sample.

Until all information is submitted the application is deemed incomplete and the review cannot commence. If you have questions please contact REA program staff.

OEHHA Releases Environmental Documents

OEHHA, parent office of the REA program has released several documents relating to the overall quality of the environment in California.

The Environmental Protection Indicators for California



(EPIC) is a 300-page report describing the process for the identification and selection of environmental indicators adopted as part of the EPIC system, and presenting the initial set of environmental indi-

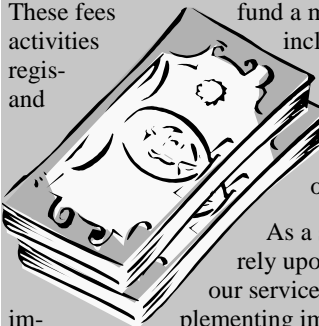
cators. A shorter document "Environmental Protection Indicators for California: Understanding Environmental Conditions through Indicators," is a 28-page document highlighting selected indicators from the full report and is intended for a broader audience.

Both documents, as well as more information on EPIC, are available from the OEHHA website, or Carmen Milanes of OEHHA at (916) 324-2829.

REA I Annual Fee Due

All REA I's must pay an annual fee to maintain their registration. The annual fee for REA I registration is \$100.00 for the 2002-2003 fiscal year. The REA program recently invoiced registrants for payment of this annual fee. **If you have not received your invoice, contact REA program staff to avoid late payment penalties.** All fees must be received by the REA program by July 1.

These fees fund a majority of the program including management of



transient records, website database updates, evaluation of legislation, and all program outreach activities.

As a self-funded program we rely upon these fees to fund all of our services. We are dedicated to implementing improvements to restrain program costs. During the past year we expanded our use of retired annuitants and student assistants for many office functions. In addition, our enhanced website allows stakeholders to access information directly from REA records, thereby reducing staff resources needed for responding to routine requests. The use of email for routine correspondence and newsletter transmittal has also resulted in savings of staff resources, paper and postage costs.

Draft Private Site Management Regulations

Draft regulations for implementation of the Private Site Management Program were released by DTSC on June 7, 2002 for a 45-day public comment period. A public hearing will be held on July 22, 2002 at 10:00 a.m. in the Sierra hearing Room, 2nd Floor, 1001 "I" Street, Sacramento.

This act is the final step in the implementation of a program first conceived by the Legislature in 1995 to accelerate the investigation and cleanup of Brownfields properties. The REA program provided consultation to DTSC in the development of performance standards for private site managers and private site manager team members.

The Private Site Management Program is a voluntary program that authorizes private site managers, who must be REA IIs, to conduct site investigations and removal or remedial actions with limited oversight by DTSC. The regulations establish minimum performance standards for the managers and team members who participate in the program. The regulations include standards for: 1) protocols for conducting all site investigation and cleanup activities in compliance with all applicable laws and regulations; 2) methods for identifying, verifying, and obtaining additional site information and data; 3) notification requirements if site conditions pose a substantial endangerment to the public health or welfare or the environment; and 4) minimum criteria for preparing opinions, determinations, decisions, and other required reports for submission to DTSC.

The draft regulations can be obtained at:

<http://www.dtsc.ca.gov>, or from Ms. Joan Ferber, DTSC Regulations Coordinator at (916) 322-6409.

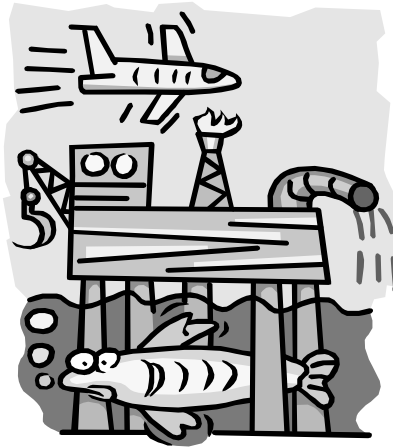
California World Ocean Conference '02

The Secretary for Resources and Secretary for Environmental Protection for the State of California are organizing a California and the World Ocean '02 (CWO '02) conference in cooperation with the Coastal Zone Foundation from October 27-30, 2002. Fess Parker's Doubletree Resort in Santa Barbara, California has been selected as the site for CWO '02.

This conference will revisit the previous five years and assess the relative success in implementing the recommendations made in *California's Ocean*

Agenda for the statewide leased in 1997. also explore vative directing and valuable ocean resources.

CWO '02 will views and of the international community in ad-ocean and source man-sues in Cal-entations and sions will cover a broad spectrum of ocean and coastal issues that are of interest to a multi-disciplinary and international audience, with particular interest in policy development. These presentations will identify or offer solutions to problems, utilize case studies, identify knowledge gaps or collaboration opportunities, and discuss broader applications and implications of material presented.

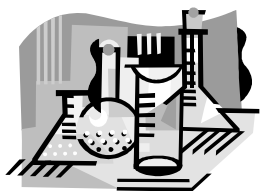


Resources: An Future, a strategy re-CWO '02 will new and innovations for pro-managing our and coastal

seek the creative ideas tional com-dressing coastal re-agement is-fornia. Pres-plenary ses-

Comments Solicited On New PHG's

The Calderon-Sher California Safe Drinking Water Act of 1996 (as amended in 1999) requires OEHHA to develop public health goals (PHGs) for the approximately 85 chemicals for which state maximum contaminant levels, or MCLs, are presently available. PHGs are concentrations of chemicals in drinking water that are not anticipated to produce adverse health effects following long-term exposures. The PHG is non-regulatory in nature but is used as the health basis to update the state's primary drinking water standard (the MCL) established by the California Department of Health Services (DHS). Other chemicals may be evaluated in addition to the 85 MCL chemicals by legislative or interdepartmental request.



OEHHA has published 58 PHGs as of January 2002, although one of these evaluations, that for total chromium, has been rescinded. A PHG for all other chemicals having a state MCL is currently in preparation, plus a PHG for perchlorate, which is presently unregulated.

OEHHA has available draft technical support documents for proposed PHGs for each of the following eleven (11) chemicals in drinking water: asbestos, barium, beryllium, chlorobenzene, 1,1-dichloroethane,

diethylhexyl adipate, ethylene dibromide, hexachlorobenzene, silvex, 1,1,2,2-tetrachloroethane, and toxaphene. A first draft of the documents is posted on the OEHHA Web site (www.oehha.ca.gov). A one-day public workshop will be held on July 22, 2002, at the Elihu Harris Building, 1515 Clay Street, First Floor, Oakland, California to discuss the scientific basis and recommendations in these draft documents. The workshop will begin at 10:30 a.m.

REA II's Must Maintain REA I Registration

There has been some confusion about maintaining the REA I registration while applying for the REA II registration. All REA II applicants must continue to pay the REA I annual fee while the REA II application is reviewed. Upon acceptance as an REA II, the REA II registration fee will be prorated.

Failure to pay the REA I fee will cause your REA I file to be closed and all information removed from the REA registry. Continued use of the REA I registration after closure may be sufficient grounds for denial or rescission of the REA II registration.



REGISTERED ENVIRONMENTAL ASSESSOR PROGRAM

1001 I Street, 19th Floor
P.O. Box 4010
Sacramento, California 95814

Phone: 916-324-6881
Fax: 916-324-1379
Email: rea_mailbox@oehha.ca.gov

*Serving the needs of California through
identifying qualified environmental professionals*

Visit us on the web at:

www.rea.ca.gov

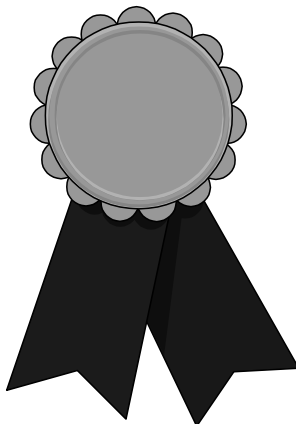
2002 Governor's Environmental and Economic Leadership Awards

Highest and Most Prestigious Honor

The annual Governor's Environmental and Economic Leadership Award Program, a program administered by the California Environmental Protection Agency and Resources Agency, is the State of California's highest and most prestigious environmental honor. The program recognizes individuals, organizations, and businesses that have demonstrated exceptional leadership and made notable contributions in conserving California's precious resources, protecting and enhancing our environment, and building public-private partnerships.

Competition is open to all California residents, businesses, non-profit organizations, professional and trade associations, communities, state and local governmental entities, tribes, and federal agencies operating in California.

A panel of senior executives representing the State of California's environmental and resource programs will evaluate all applications for strength in six specific areas: results, transferability, environmental impact, resource conservation impact, economic progress, and innovation/uniqueness. The above criteria will be considered in the competitive weighting of nominations.



The Award Categories Governor Gray Davis invites nomination applications for 2002 in the following categories:

- Energy Conservation
- Children's Environmental Education
- Watershed Management
- Sustainable Practices
- Border Environmental Protection
- Environmental-Economic Partnerships

Those interested in applying for consideration for an award, or in nominating someone else, should visit:

www.calepa.ca.gov/2002awards.htm

Nomination applications can also be obtained by calling the California Environmental Protection Agency at:

(916) 445-3846

Application deadline: August 1, 2002, 5:00pm.